

- iv. Information and data relating to putative class members' first-party total loss claims.
- b. The parties propose the following dates for scheduling:
 - i. **March 24, 2020:** Deadline for amendment of pleadings and/or to join additional parties.
 - ii. **June 29, 2020:** Deadline for Plaintiff to file Motion for Class Certification and disclose certification experts, if any. Plaintiff agrees to make any disclosed expert(s) available for deposition within 14 days.
 - iii. **August 14, 2020:** Deadline for Defendant's response to Plaintiff's Motion for Class Certification and disclosure of rebuttal experts, if any. Defendant agrees to make any disclosed expert(s) available for deposition within 14 days.
 - iv. **September 4, 2020:** Deadline for Plaintiff's reply in further support of Motion for Class Certification.
 - v. **October 26, 2020:** Deadline for Plaintiff to disclose expert witnesses, if any, and provide written reports. Plaintiff agrees to make any disclosed expert(s) available for deposition within 14 days.
 - vi. **December 7, 2020:** Deadline for Defendant to disclose expert witnesses, if any, and provide written reports. Defendant agrees to make any disclosed expert(s) available for deposition within 14 days.
 - vii. **January 29, 2021:** Deadline for filing of any dispositive motions.
 - viii. **March 5, 2021:** Deadline for all discovery.

- c. The parties anticipate the production of electronically stored information (“ESI”).
The parties will work together to agree to procedures and costs relating to the production of ESI.
- d. The parties do not believe there is a need for any limitations on discovery and that discovery can be governed by the Federal and Local Rules.
- e. The parties do not believe there are any other issues to be addressed by the Court at this time.

ADDITIONAL INFORMATION REQUIRED BY THE COURT

1. Case Summary: This case concerns whether and under what circumstances Defendant is obligated by its insurance policy to pay sales tax and title transfer fees to insureds who suffer a total-loss of their insured vehicle and whether Defendant paid sales tax and title transfer fees to Plaintiff and members of the putative class.

2. Subject Matter Jurisdiction: This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. § 1332(d)(2), because (a) Plaintiff is a member of the putative class, which consists of at least 100 members, and at least one member of the putative class is a citizen of a different state than Defendant, (b) upon information and belief, the aggregate amount in controversy exceeds \$5 million, exclusive of interest and costs, and (c) none of the exceptions under § 1332 apply to this claim.

3. Contemplated Motions: Both parties will likely file motions for summary judgment. Plaintiff will file a motion for class certification.

4. Trial Length: The parties anticipate that this case can be tried in 5-7 days.

5. Other Matters: The parties are in agreement that the Court should enter a protective order to allow Defendant to produce training information and documents, customer information

and other confidential and/or proprietary information. The parties will submit an Agreed Protective Order to the Court by **January 17, 2020**.

Dated: December 30, 2019

s/Daniel Kotchen
KOTCHEN & OW LLP
1745 Kalorama Rd., N.W., Suite 101
Washington, D.C. 20009
(202) 468-4014

EDELSBERG LAW, PA
Scott Edelsberg (*pro hac vice to be filed*)
scott@edelsberglaw.com
David M. Sholl (*pro hac vice to be filed*)
david@edelsberglaw.com
20900 NE 30th Ave, Suite 417
Aventura, FL 33180
Telephone: (305) 975-3320

SHAMIS & GENTILE, P.A.
Andrew J. Shamis (*pro hac vice to be filed*)
ashamis@shamisgentile.com
14 NE 1st Avenue, Suite 400
Miami, Florida 33132
Telephone: (305) 479-2299
Facsimile: (786) 623-0915

DAPEER LAW, P.A.
Rachel Dapeer (*pro hac vice to be filed*)
rachel@dapeer.com
300 S. Biscayne Blvd, #2704
Miami, FL 33131
Telephone: (305) 610-5223

NORMAND PLLC
Edmund A. Normand
ed@ednormand.com
Jacob L. Phillips
jacob.phillips@normandpllc.com
service@normandpllc.com
3165 McCrory Place, Suite 175
Orlando, FL 32803
Telephone: (407) 603-6031
Facsimile: (888) 974-2175

Attorneys for Plaintiff

Attorneys for Defendant
GEICO CASUALTY COMPANY

By: /s/ Mark J. McClenathan
HEYL, ROYSTER, VOELKER & ALLEN
Mark J. McClenathan
ARDC #6196507

Mark J. McClenathan (ARDC #6196507)
Christopher J. Drinkwine (ARDC #6236992)
HEYL, ROYSTER, VOELKER & ALLEN, P.C.
120 West State Street, 2nd Floor
Rockford, IL 61101-1159
Telephone (815) 963-4454
Facsimile (815) 963-0399
PRIMARY E-MAIL: rckecf@heyloyster.com
SECONDARY E-MAIL #1: mmcclenathan@heyloyster.com
SECONDARY EMAIL #2: cdrinkwine@heyloyster.com

-AND-

Kymberly Kochis (*pro hac vice to be filed*)
Eversheds Sutherland (US) LLP
The Grace Building, 40th Floor
1114 Avenue of the Americas
New York, NY 10036
Telephone: (212) 389-5000
Facsimile: (212) 389-5099
kymberlykochis@eversheds-sutherland.com

Attorneys for Defendant
GEICO Casualty Company

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of December 2019, I electronically filed the foregoing Rule 26(f) Joint Discovery Plan with the Clerk of the Court using the CM/ECF system which will automatically send notification of such filing to all attorneys of record registered with the CM/ECF system.

/s/ Jamie K. Abney
jabney@heyloyster.com

HEYL, ROYSTER, VOELKER & ALLEN, P.C.

120 West State Street, 2nd Floor

Rockford, IL 61101-1159

Phone (815) 963-4454

PRIMARY E-MAIL: rkecf@heyloyster.com

SECONDARY E-MAIL #1: mmcclenathan@heyloyster.com

SECONDARY EMAIL #2: cdrinkwine@heyloyster.com

36534-3 / 37387643_1